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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey E. Stahmann et al.

Title: IMPLANTABLE DEVICES AND METHODS USING FREQUENCY-DOMAIN ANALYSIS OF THORACIC SIGNAL

Docket No.: 279.580US1

Filed: July 2, 2003

Examiner: Unknown

Serial No.: 10/612,387

Due Date: N/A

Group Art Unit: 3762

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

A return postcard.  
 A Communication Concerning Related Applications (1 pg.).  
 An Information Disclosure Statement (2 pgs.), Form 1449 (2 pgs.), and copies of 7 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By: Suneel Arora  
Atty: Suneel Arora  
Reg. No. 42,267

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27 day of August, 2004.

Name

JAMES KANUSIK

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)



S/N 10/612,387

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey E. Stahmann et al. Examiner: Unknown  
Serial No.: 10/612,387 Group Art Unit: 3762  
Filed: July 2, 2003 Docket: 279.580US1  
Title: IMPLANTABLE DEVICES AND METHODS USING FREQUENCY-DOMAIN  
ANALYSIS OF THORACIC SIGNAL

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COMMUNICATION CONCERNING RELATED APPLICATIONS

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
10/897856	July 23, 2004	279.748US1	METHOD AND APPARATUS FOR MONITORING HEART FAILURE PATIENTS WITH CARDIOPULMONARY COMORBIDITIES

Respectfully submitted,

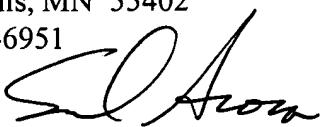
JEFFREY E. STAHHMANN ET AL.

By Applicants' Representatives,

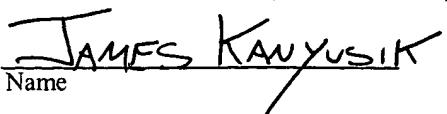
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6951

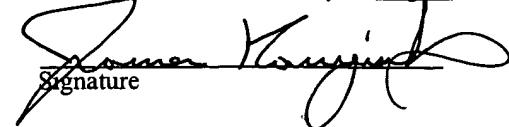
Date August 27, 2004

By

  
Suneel Arora  
Reg. No. 42,267

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Name

  
Signature

S/N 10/612,387



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jeffrey E. Stahmann et al. Examiner: Unknown  
Serial No.: 10/612,387 Group Art Unit: 3762  
Filed: July 02, 2003 Docket: 279.580US1  
Title: IMPLANTABLE DEVICES AND METHODS USING FREQUENCY-DOMAIN  
ANALYSIS OF THORACIC SIGNAL

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**INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

INFORMATION DISCLOSURE STATEMENT

Serial No :10/612,387

Filing Date: July 02, 2003

Title: IMPLANTABLE DEVICES AND METHODS USING FREQUENCY-DOMAIN ANALYSIS OF THORACIC SIGNAL

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Dkt: 279.580US1

The present application is either a U.S. national patent application filed after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

JEFFREY E. STAHHMANN ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6951

Date August 27, 2004

By



Suneel Arora  
Reg. No. 42,267

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27th day of August, 2004.

JAMES KANYUK  
Name

James Kanyuk  
Signature



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

<b>Application Number</b>	10/612,387
<b>Filing Date</b>	July 2, 2003
<b>First Named Inventor</b>	Stahmann, Jeffrey
<b>Group Art Unit</b>	3762
<b>Examiner Name</b>	Unknown

Sheet 1 of 2

Attorney Docket No: 279.580US1

**US PATENT DOCUMENTS**

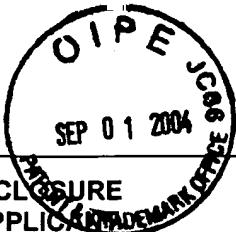
Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-5,003,976	04/02/1991	Alt, E.	128	419 PG	09/28/1988
	US-5,074,303	12/24/1991	Hauck, J. A.	128	419	03/08/1990
	US-5,284,136	02/08/1994	Hauck, J. A., et al.	607	24	05/13/1991
	US-5,876,353	03/02/1999	Riff, K. M.	600	547	01/31/1997
	US-5,957,861	09/28/1999	Combs, W. J., et al.	600	547	01/31/1997
	US-5,974,340	10/26/1999	Kadhiresan, V. A.	607	18	04/29/1997
	US-6,076,015	06/13/2000	Hartley, J. W., et al.	607	20	02/27/1998
	US-6,193,668	02/27/2001	Chassaing, C. E., et al.	600	481	11/09/1998
	US-6,223,064	04/24/2001	Lynn, L. A., et al.	600	324	07/14/1998
	US-6,478,746	11/12/2002	Chassaing, C. E., et al.	600	504	12/11/2000
	US-6,520,924	02/18/2003	Lee, B. H.	600	586	05/25/2001
	US-6,561,986	05/13/2003	Baura, Gail D., et al.	600	526	01/17/2001
	US-6,575,916	06/10/2003	Halleck, M. E., et al.	600	528	03/24/2000

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"BioZ(r) ICG Module", <a href="http://web.archive.org/web/20010701105207/http://www.cardiodynamics.com/cdprod50.html">http://web.archive.org/web/20010701105207/http://www.cardiodynamics.com/cdprod50.html</a> (archived July 1, 2001), 1 page	
		"BioZ.com(tm) Noninvasive Hemodynamic Monitor", <a href="http://web.archive.org/web/20000617081457/http://www.cardiodynamics.com/cdprod10.html">http://web.archive.org/web/20000617081457/http://www.cardiodynamics.com/cdprod10.html</a> (archived June 17, 2000), 2 pages	
		"CardioDynamics BioZtect ICG Sensor & Cable System", <a href="http://web.archive.org/web/20010701105810/http://www.cardiodynamics.com/cdprod60.html">http://web.archive.org/web/20010701105810/http://www.cardiodynamics.com/cdprod60.html</a> , (archived July 1, 2001), 2 pages	
		"CardioDynamics Company Overview", <a href="http://web.archive.org/web/20001121133300/http://www.cardiodynamics.com/cdcomp10.html">http://web.archive.org/web/20001121133300/http://www.cardiodynamics.com/cdcomp10.html</a> , (archived Nov. 21, 2000), 2 pages	
		"Overview of Impedance Cardiography (ICG)", <a href="http://web.archive.org/web/20021003000713/http://www.impedancecariography.com/icgover10.html">http://web.archive.org/web/20021003000713/http://www.impedancecariography.com/icgover10.html</a> , (archived Oct. 3, 2002), 5 Pages	
		BROCKWAY, M. , et al., "Method and Apparatus for Monitoring Heart Failure Patients With Cardiopulmonary Comorbidities", Application Ser. No. 10/897,856, Filed July 23, 2004 Attorney Docket No. 279.748US1, 54 pages	

**EXAMINER**

**DATE CONSIDERED**



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

<b>Application Number</b>	10/612,387
<b>Filing Date</b>	July 2, 2003
<b>First Named Inventor</b>	Stahmann, Jeffrey
<b>Group Art Unit</b>	3762
<b>Examiner Name</b>	Unknown

Sheet 2 of 2

Attorney Docket No: 279.580US1

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		PONIKOWSKI, P. , et al., "Oscillatory Implications and Role of Augmented Peripheral Chemosensitivity", Circulation, 100, (1999),2418-2424	

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 808. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached